

REMARKS

This Amendment responds to Office Action mailed May 25, 2004.

In paragraph 1-2 of the Office Action, the Examiner rejects claim 3 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, claim 3 recites the phrase “the self-station.” Applicants have amended this claim to recite “the apparatus,” to provide the proper antecedent basis for this limitation. In doing so, Applicants have not narrowed the scope of this claim.

Applicants wish to thank the Examiner for recognizing in paragraph 5 of the Office Action that claims 2, 4, and 7-14 are allowable. Applicants respectfully submit, however, that each of claims 1, 3, and 5-6 also patentably distinguish over the art of record.

In paragraph 3-4 of the Office Action, claims 1, 5, and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,715, 295 to Yamashita. The Examiner’s rejection on this ground is respectfully traversed.

Among the limitations of claim 1 which are neither disclosed nor suggested in the art of record is a requirement that the apparatus comprises “means for storing a radio channel used by a remote radio station and an address of said remote radio station” and “means for selecting a radio channel . . . used by a definition radio station identified by an address in a packet to be transmitted.” In general the communication system of Yamashita is not analogous to the present invention because Yamashita discloses a connection oriented network, where the connection is established at the beginning of a call, whereas the present invention discloses a packet switched network that includes the destination address in each data packet. Yamashita discloses selecting a communication channel, or carrier number, based on the called number of the destination mobile station. Yamashita also discloses storing the channel numbers that mobile stations use to communicate with each other. However, Yamashita does not disclose storing the address of a remote station

associated with the channel number. Yamashita also does not disclose selecting the radio channel based on the address found in the data packet to be transmitted. In the absence of any disclosure or suggestion of these features of the invention, claim 1 is believed to be in condition for allowance.

Claim 5 and 6 depend from claim 1 and included all the limitations found therein. These claims include further limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested in the art of record. By way of example, claim 6 discloses searching for a radio channel by transmitting and receiving a control packet at the time of the search. The portions of Yamashita cited as disclosing this feature, namely synchronous operation and presentation of a ringing tone, are used to establish the connection in this connection oriented network. Yamashita's synchronization and ringing tone do not disclose the destination radio station and address associated with a particular radio channel, that would be found in a received control packet. These features are not disclosed or suggested in the art of record.

Claim 15 has been added to more fully claim the invention and to recite claim limitations that are not in a means-plus function format.

In view of the above, each of the presently pending claims in this application are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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